

Respondent argues the ALJ's Post-Award Medical Award should be affirmed.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Having reviewed the evidentiary record filed herein, the stipulations of the parties, and having considered the parties' briefs and oral arguments, the Board makes the following findings of fact and conclusions of law:

The Board finds the ALJ's findings and conclusions are accurate and supported by the law and the facts contained in the record. It is not necessary to repeat those findings and conclusions in this Order. The Board approves those findings and conclusions and adopts them as its own.

Claimant argues that Dr. Kurt Martin is in the best position to determine whether claimant would benefit from the proposed surgery as he has treated her for a number of years. The ALJ's Post-Award Medical Award contains a detailed analysis of claimant's and respondent's arguments, the factual history of this case and a well reasoned decision that the proposed procedure is unlikely to provide claimant significant relief, presents significant risks of complications and has failed to establish the recommended treatment plan is reasonably necessary to cure and relieve claimant from the effects of her injury. The Board agrees and affirms the Post-Award Medical Award in all respects.

AWARD

WHEREFORE, it is the decision of the Board that the Award of Administrative Law Judge Bruce E. Moore dated November 9, 2011, is affirmed.

IT IS SO ORDERED.

Dated this _____ day of January, 2012.

BOARD MEMBER

BOARD MEMBER

BOARD MEMBER

c: Robert R. Lee, Attorney for Claimant
Christopher J. Shepard, Attorney for Respondent and its Insurance Carrier
Bruce E. Moore, Administrative Law Judge